

STATE OF TEXAS §
COUNTIES OF ARANSAS §
SAN PATRICIO AND NUECES §
CITY OF ARANSAS PASS §

On this the 3rd day of March, 2008 the City Council of the City of Aransas Pass convened in a Regular Council Meeting being open to the Public at the regular meeting place thereof in the City Hall and notice of said meeting giving the time, place, date and subject hereof having been posted and prescribed by Chapter 551 of the Texas Government Code with the following attendance to wit constituting a quorum.

PRESENT: Tommy Knight, Mayor
Jay Attaway, Mayor Pro Tempore
Vickie Abrego, Council Member
Frank Hametner, Council Member
Karen Mayer, Council Member

ABSENT:

ADMINISTRATIVE
PERSONNEL PRESENT: Tom Ginter, City Manager
Allen Lawrence, City Attorney
Ada Owens, City Secretary

ADMINISTRATIVE
PERSONNEL ABSENT:

STAFF PRESENT: Bill Haines, Assistant Police Chief/Harbormaster
Frank Truitt, City Inspector
Don Brummett Acting Public Works Director

OTHERS PRESENT: D. Joe Myers, Jim & Alpha Covington, Marylyn Rymer, Christi & Angus Mathews, Damon Henderson, Joan Dickson, Lu & Ralph Arcemont, Kelse Jennings, Paul Lippke, Sheryl Sullivan/Chamber of Commerce

There may have been others present who did not sign in.

ITEM 1. CALL MEETING TO ORDER.

Mayor Knight called the meeting to order at 7:00 p.m. on March 3, 2008.

ITEM 2. INVOCATION AND PLEDGE OF ALLEGIANCE TO THE UNITED STATES FLAG.

Council Member Abrego gave the invocation. Mayor Knight led the pledge of allegiance to the United States flag.

ITEM 3. CONSENT AGENDA: *"All of the following items on the Consent Agenda are considered to be routine by the City Council and will be enacted with one motion. There will be no separate discussion of these items unless a Councilmember so requests. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately."*

A. Approval of Minutes of February 18, 2008.

Council Member Mayer made the motion to approve the Consent Agenda. Council Member Hametner seconded the motion and the motion carried unanimously.

ITEM 4. PUBLIC HEARING ON REQUEST OF DAMON HENDERSON FOR A CONDITIONAL USE PERMIT FOR PRE-OWNED VEHICLE SALES. PROPERTY IS DESCRIBED AS PART OF TRACT 9 AND 10, BLOCK 1, MCCAMPBELL SUBDIVISION, 2180 W. WHEELER AVE. THE PROPERTY IS ZONED GB (GENERAL BUSINESS).

City Attorney Allen Lawrence declared the Public Hearing open at 7:02 p.m. on the request of Damon Henderson for a Conditional Use Permit for pre-owned vehicle sales. Property is described as Part of Tract 9 and 10, Block 1, McCampbell Subdivision, 2180 W. Wheeler Ave. He stated the property was presently zoned General Business. He stated the Planning and Zoning Commission had met on February 29, 2008 and recommended to the City Council that the Conditional Use Permit be granted. He stated all public notices had been given. The City Attorney asked Damon Henderson to come forward.

Mr. Henderson stated he was building a used car lot next to Henderson new car sales. He stated the property was already paved.

The City Attorney asked if there was anyone present to speak against the request. Seeing no one, the City Attorney closed the Public Hearing at 7:04 p.m. and recommended adoption of the Planning and Zoning Commission's recommendation with the City Inspector's recommendation of conditions of: all vehicles to be on all-weather surfaces, not more than 50 vehicles, premises to be kept neat and clean, hours of operation to be 8:00 a.m. to 8:00 p.m., and the Conditional Use Permit be for two years.

ITEM 5. CONSIDER AND ACT REQUEST OF DAMON HENDERSON FOR A CONDITIONAL USE PERMIT FOR PRE-OWNED VEHICLE SALES. PROPERTY IS DESCRIBED AS PART OF TRACT 9 AND 10, BLOCK 1, MCCAMPBELL SUBDIVISION, 2180 W. WHEELER AVE. THE PROPERTY IS ZONED GB (GENERAL BUSINESS).

Council Member Hametner made the motion to approve the request of Damon Henderson for a Conditional Use Permit for pre-owned vehicle sales. Mayor Pro Tempore Attaway seconded the motion and the motion carried unanimously.

ITEM 6. PUBLIC HEARING ON REQUEST OF JAY TAYLOR TO REPLAT 4.10 ACRES OF TRACT 2, OUTLOT 38, 400 BLOCK OF W. HIGHLAND, BURTON AND DANFORTH SUBDIVISION INTO BLOCK 1, LOTS 1 THROUGH 14 AND BLOCK 2, LOTS 1 THROUGH 6, HIGHLAND ESTATES. THE PROPERTY IS ZONE R7A.

City Attorney Allen Lawrence declared the Public Hearing open at 7:06 p.m. on the request of Jay Taylor to replat 4.10 acres of Tract 2, Outlot 38, 400 block of W. Highland, Burton and Danforth Subdivision into Block 1, Lots 1 through 14 and Block 2, Lots 1 through 6, Highland Estates. The property is zone R7A. He stated the Planning and Zoning Commission had met on February 29, 2008 and recommended to the City Council that the request be granted. He asked Mr. Taylor to come forward.

Paul Lippke, the engineer for Mr. Taylor's project, stated he represented Mr. Taylor. He stated Joe Myers, the builder, was also present. He stated the property was on the east end of the existing Highland Subdivision. He stated it was one cul-de-sac with 20 lots. He stated he had been to the Board of Adjustments and was granted certain variances.

Mayor Knight asked were there any drainage issues?

Mr. Lippke stated no, there was a design in place to take any (water) overflow out to Highland Avenue and not onto adjacent properties.

The City Attorney asked if there was anyone present opposed to the request. Seeing no one, the City Attorney closed the Public Hearing at 7:08 p.m.

ITEM 7. CONSIDER AND ACT ON REQUEST OF JAY TAYLOR TO REPLAT 4.10 ACRES OF TRACT 2, OUTLOT 38, 400 BLOCK OF W. HIGHLAND, BURTON AND DANFORTH SUBDIVISION INTO BLOCK 1, LOTS 1 THROUGH 14 AND BLOCK 2, LOTS 1 THROUGH 6, HIGHLAND ESTATES. THE PROPERTY IS ZONE R7A.

Council Member Hametner made the motion to approve the request of Jay Taylor to replat 4.10 acres of Tract 2, Outlot 38, 400 block of W. Highland, Burton and Danforth Subdivision into Block 1, Lots 1 through 14 and Block 2, Lots 1 through 6, Highland Estates. Mayor Pro Tempore Attaway seconded the motion and the motion carried unanimously.

ITEM 8. REPORTS FROM CITY MANAGER AND STAFF AND PUBLIC COMMENTS: *At this time the Mayor, City Council, Staff and Public comments may be given. Reports or updates on any assignments which include but are not limited to grants, building and development, budgets, financial reports and any other projects may be given. No formal action can be taken on any of these items at this time. Comments will be limited to 3 minutes each.*

The City Manager stated the Gillespie Lane project was finished with public water and sewer connections and work had started on private connections today. He stated, depending on the weather, the private connections would be finished in two weeks. He stated he would speak to San Patricio County Commissioner Jim Price regarding an interlocal agreement to build a road base for Gillespie Lane.

The City Manager stated the civic center project was making good progress.

Mayor Knight thanked Christi and Angus Mathews of Mathews Gallery for the donation of an original framed watercolor the City had presented to Texas Land Commissioner Jerry Patterson upon the signing of the transfer of the General Land Office's property in Conn Brown Harbor to the City.

ITEM 9. RECESS REGULAR MEETING AND RETIRE TO EXECUTIVE SESSION PURSUANT TO CHAPTER 551 OF TEXAS GOVERNMENT CODE.

Recessed into Executive Session at 7:11 p.m.

- A. Section 551.072 Deliberations Regarding Real Property - LWR and Conn Brown Harbor Properties.

ITEM 10. RECONVENE IN REGULAR MEETING AND CONSIDER AND ACT ON DELIBERATIONS OF EXECUTIVE SESSION

Reconvened into Open Session at 8:42 p.m.

- A. Section 551.072 Deliberations Regarding Real Property - LWR and Conn Brown Harbor Properties.

Council Member Hametner made the motion to approve a contract with W. L. Bates & Company to list the LWR Property for sale. Council Member Abrego seconded the motion and the motion carried unanimously.

ITEM 11. **ADJOURNMENT OF MEETING.**

Council Member Mayer made the motion to adjourn the meeting. Mayor Pro Tempore Attaway seconded the motion and the motion carried unanimously.

Mayor Knight adjourned the meeting at 8:44 p.m.

Tommy Knight, Mayor

ATTEST:

Ada Owens, City Secretary